

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Reggie D. Hill
2410 Berry Street
Hopewell, VA 23860
Last four digits of SSN: 5837

Case No. 12-30686-KRH
Chapter 13
Trustee: Robert E. Hyman

**MOTION FOR MORTGAGE LOAN MODIFICATION
BY CHAPTER 13 DEBTOR AFTER CONFIRMATION**

COMES NOW the Debtor, Reggie D. Hill, by counsel and respectfully makes Motion for Authority to enter into a mortgage loan modification after confirmation pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Rule 6004-4. In support of his motion the Debtor states as follows:

1. Reggie D. Hill (the “Debtor”) commenced this case on February 6, 2012 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division.

2. The Debtor’s Chapter 13 plan was confirmed on April 16, 2012.

3. The Debtor owns the real estate situated in the City of Hopewell, Virginia known as 2410 Berry Street, Hopewell, VA (the “Real Property”) by way of Deed. The legal description of the Real Property is as follows:

ALL those certain lots, pieces or parcels of land, with all improvements thereon and appurtenances thereto belonging, lying and being in the City of Hopewell, Virginia, designated as Lots 8, 9, 10, and 11, Block 14, of Washington Heights, a subdivision of said city.

4. The Debtor has been approved for a loan modification with Bank of America, N.A.

5. Upon information and belief, the Real Property is encumbered by a lien in favor of Bank of America, N.A., and the present unpaid principal balance according to the offered modification agreement is approximately \$135,223.00.

6. The loan modification will include the terms below or more favorable to the Debtor:

	Effective Date	Unpaid Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
Current mortgage	6/4/2007	\$216,653.60	5.5%	\$1,077.96	7/1/2047
New Mortgage*	11/1/2012	\$135,223.00**	5.5%	\$727.90	7/1/2047

*\$81,430.60 of the Combined Principal Balance is permanently forgiven, and the Debtor will no longer be responsible for repayment of such amount to the Lender. The Lender will report this forgiveness to the IRS and any tax liability will be the Debtor's responsibility.

** To calculate the new loan balance, Bank of America added past due interest in the amount of \$12,844.01, and eligible servicing expenses of \$875.61 and taxes and insurance of \$1,735.96 totaling \$15,455.58 to the principal balance. Unpaid late fees were not included in the amount and will be waived when the loan modification is finalized.

7. Debtor further requests that the Court waive application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter in order to facilitate the efficient closing on the loan modification of the Real Property.

WHEREFORE, the Debtor prays that this Court enter an Order:

1. That approves the loan modification of the Real Property with Bank of America, N.A.;
 2. That waives the application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter;
 3. That releases the Trustee from paying any further arrears claim to Bank of America, N.A.;
- and
4. For such other and further relief as the Court deems just and proper.

Respectfully submitted:
Reggie D. Hill

By: /s/ Pia J. North
Pia J. North, Esq., #29672
Attorney for Debtor(s)
North & Associates, P.C.
5913 Harbour Park Drive
Midlothian, VA 23112
Phone: (804) 739-3700
Fax: (804) 739-2550

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Chapter 13
Trustee: Robert E. Hyman

NOTICE OF MOTION

Pia J. North, attorney for **Reggie D. Hill** has filed a Motion for Mortgage Loan Modification after Confirmation pursuant with the Court. The loan modification will include the terms below or more favorable to the Debtor:

	Effective Date	Unpaid Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
Current mortgage	6/4/2007	\$216,653.60	5.5%	\$1,077.96	7/1/2047
New Mortgage*	11/1/2012	\$135,223.00**	5.5%	\$727.90	7/1/2047

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The debtor does not intend to increase the amount of his plan payment.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion (or objection), or if you want the court to consider your views on the motion (or objection), then on or before 21 days from September 20, 2012, you or your attorney must:

- x** File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Suite 4000

Richmond, VA 23219-3515

You must also mail a copy to:

Pia J. North, Esquire
5913 Harbour Park Drive
Midlothian, VA 23112

Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219-3515

Robert E. Hyman
P.O. Box 1780
Richmond, VA 23218-1780

☐ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

☐ Attend the hearing on the motion (or objection) scheduled to be held on _____ at _____ m. at United Bankruptcy Court, 701 E. Broad Street, Suite 5000/5001, Richmond, VA 23219-3515.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: September 20, 2012

/s/Pia J. North
Pia J. North
5913 Harbour Park Drive
Midlothian, VA 23112
(804) 739-3700

Certificate of Service

I hereby certify that I have on September 20, 2012, transmitted a true copy of the foregoing Notice and Motion for Mortgage Loan Modification after Confirmation electronically through the Court's CM/ECF system or by first class mail, postage pre-paid to: the Debtor; Eric David White, Esq., Michael T. Freeman, Esq., Samuel I. White, P.C., Counsel for Bank of America, N.A., 1804 Staples Mill Road, Suite 200, Richmond, VA 23230; Chapter 13 trustee; the United States trustee if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1(d)(3); and to all creditors and parties in interest on the mailing matrix maintained by the clerk of court, a copy of which is attached.

/s/Pia J. North
Pia J. North for Reggie D. Hill

North & Associates, PC
Pia J. North
5913 Harbour Park Drive
Midlothian, VA 23112

Afni, Inc.
Po Box 3427
Bloomington, IL 61702

Ally Financial
Po Box 380901
Bloomington, MN 55438

Applied Bank
601 Delaware Ave
Wilmington, DE 19801

Bank of America
P.O. Box 45224
Jacksonville, FL 32232

Bank Of America, N.A.
450 American St
Simi Valley, CA 93065

Cap One
Po Box 85520
Richmond, VA 23285

Carmax Auto Finance
2040 Thalbro St
Richmond, VA 23230

Ccs/Cortrust Bank
500 E 60th St N
Sioux Falls, SD 57104

Ccs/First National Ban
500 E 60th St N
Sioux Falls, SD 57104

Ccs/First Savings Bank
500 E 60th St N
Sioux Falls, SD 57104

Certegy
P.O. Box 30046
Tampa, FL 33630

Citifinancial
300 Saint Paul Pl
Baltimore, MD 21202

Commonwealth of VA-Tax
P.O. Box 2156
Richmond, VA 23218-2156

Credit One Bank
Po Box 98875
Las Vegas, NV 89193

Dominion Law Associates
Post Office Box 62717
Virginia Beach, VA 23466-2717

DuPont Fibers Federal Crd
Union
Post Office Box 37040
Richmond, VA 23234-7040

Enhanced Recovery Co L
8014 Bayberry Rd
Jacksonville, FL 32256

Eric D. White
Samuel I. White, P.C.
1804 Staples Mill Road; #200
Richmond, VA 23230

Fhut/Metbk
6250 Ridgewood Road
St Cloud, MN 56303

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104

Gecrb/Jcp
Po Box 984100
El Paso, TX 79998

Gecrb/Peach Direct
950 Forrer Blvd
Kettering, OH 45420

Hopewell Personal Property
815 W. Poythress Street
Hopewell, VA 23860

Internal Revenue Service
Insolvency Unit
Post Office Box 7346
Philadelphia, PA 19114

Lvnv Funding
P.o. B 10584
Greenville, SC 29603

Lvnv Funding Ll
Po Box 740281
Houston, TX 77274

Marin
Po Box 740281
Houston, TX 77274

Midland Credit Mgmt Inc.
8875 Aero Dr
San Diego, CA 92123

Nationwide Credit Corporation
Post Office Box 9156
Alexandria, VA 22304-0156

Nco Fin/38
2360 Campbell Crk Ste 50
Richardson, TX 75082

Northland Group
Post Office Box 390905
Minneapolis, MN 55439

Salute
P.O. Box 11802
Newark, NJ 07101

Sprint BANKRUPTCY Dept
P.O. Box 172408
Denver, CO 80217-2408

Tribute
Payment Processing
P.O. Box 136
Newark, NJ 07101

Verizon - Bankrutpcy Dept
P.O. Box 3397
Wilmington, IL 61702

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